

**REMARKS**

**I. Introduction**

This amendment is filed in response to the Office Action dated June 2, 2003 for the above-identified patent application. A two (2) month extension to the time for responding to the Official Action is requested and the appropriate fee is enclosed. Claims 1-13 are pending in the application. Claims 1 and 9 have been amended. New claims 14-16 have been added. It is respectfully asserted that no new matter has been added.

The examiner has objected to claim 1 because the term "cylindrical internal" should be changed to "cylindrical internal surface." Claim 1 has been amended to address this objection, which applicant believes to be now moot.

**II. Rejection Under 35 U.S.C. § 102 Should Be Withdrawn**

Claims 1-3 and 8 have been rejected under 35 U.S.C. §102(b) as anticipated in view of U.S. Patent No. 4,224,364 ("Hunt"). Applicant respectfully submits that amended independent claim 1 and the claims that depend therefrom are not disclosed by Hunt for at least the reasons set forth below.

In order to render a claim anticipated under 35 U.S.C. § 102, a single prior art reference must disclose each and every element of the claim in exactly the same way. *See Lindeman Maschinensfabrik v. Am Hoist and Derrick*, 730 F.2d 1452, 1458 (Fed. Cir. 1984). It is respectfully asserted that Hunt does not disclose an external surface with a predetermined width, in which, the third intermediate part includes a selected decorative shape designed for viewing by a viewer, which extends for a predetermined width and extending for a predetermined distance between the first and second mating edge structures, as explicitly recited in amended

independent claim 1. Apparently, the examiner equates the connecting ring of Hunt with the third intermediate part recited in claim 1 of the presently claimed invention. However, Hunt only discloses a connecting ring that is used to simply connect the first and second housing sections, where at least one housing is transparent to display two dimensional objects. Hunt does not disclose an intermediate part with a selected decorative shape having a predetermined width and that such part extends a predetermined distance and is designed for viewing by a viewer as recited in amended claim 1.

Therefore, in view of the foregoing, reconsideration and withdrawal of the §102(b) rejection of claims 1-3 and 8 as anticipated in view of U.S. Patent No. 4,224,364 ("Hunt") is respectfully requested.

Claims 9-10 and 13 have been rejected under 35 U.S.C. §102(b) as anticipated in view of U.S. Patent No. 4,936,483 ("Ballu"). Applicant respectfully submits that amended independent claim 9 and the claims that depend therefrom are not disclosed by Ballu for at least the reasons set forth below.

Ballu discloses a receptacle comprising cup-shaped male and female elements each having a cylindrical part and further comprising a first attachment means on the outer surface of the female element and a connecting member connected to the male element. The first attachment means and the connecting element as disclosed in Ballu attach the male and female elements together. In contrast, applicant respectfully asserts that Ballu does not disclose an intermediate part that includes an exterior surface which has a decorative shape and an internal passage, as recited in amended claim 9. In addition, Ballu does not disclose that the cross-section of the tubular extension is smaller than the cross-section of the decorative shape, and the internal passage is arranged to closely surround the tubular extension, as also explicitly recited in

amended claim 9. Furthermore, Ballu does not disclose that the first and second end parts are configured for assembly with the intermediate part retained between the edges of the first and second end parts or that the first and second end parts are configured for forming a combined structure having a decorative shape, as further recited in amended claim 9.

Therefore, in view of the foregoing, reconsideration and withdrawal of the §102(b) rejection of claims 9-10 and 13 as anticipated in view of U.S. Patent No. 4,936,483 ("Ballu") is respectfully requested.

### **III. Rejection Under 35 U.S.C. § 103 Should Be Withdrawn**

Claim 4 has been rejected under 35 U.S.C. §103(a) as being obvious in view of U.S. Patent 4,224,364 ("Hunt"). As stated above, Hunt fails to teach or suggest all the recitations of independent claim 1. As claim 4 depends from claim 1, this dependent claim is also patentable for at least the same reasons. Therefore, in view of the foregoing, reconsideration and withdrawal of the rejection of claim 4 as obvious in view of U.S. Patent 4,224,364 ("Hunt") is respectfully requested.

Claims 5-7 have been rejected under 35 U.S.C. §103(a) as being obvious in view U.S. Patent 4,224,364 ("Hunt") further in view of U.S. Patent No. 4,212,460 ("Kraft"). As stated above, Hunt fails to teach or suggest all the recitations of independent claim 1. Kraft also does not teach or suggest the recitations of claim 1. As claims 5-7 depend from claim 1, these dependent claims are also patentable, for at least the same reasons. Therefore, in view of the foregoing, reconsideration and withdrawal of the §103(a) rejection of claims 5-7 as obvious in view of U.S. Patent 4,224,364 ("Hunt") is respectfully requested.

Claim 11 has been rejected under 35 U.S.C. §103(a) as being obvious in view U.S. Patent 4,936,483 ("Ballu"). As stated above, Ballu fails to teach or suggest all the

limitations of independent claim 9. As claim 11 depends from claim 9, this dependent claim is also patentable for at least the same reasons. Therefore, in view of the foregoing, reconsideration and withdrawal of the §103(a) rejection of claim 11 as obvious in view of U.S. Patent No. 4,936,483 ("Ballu") is respectfully requested.

Claim 12 has been rejected under 35 U.S.C. §103(a) as being obvious in view of U.S. Patent 4,936,483 ("Ballu") further in view of U.S. Patent No. 4,219,125 ("Wiltshire et al."). As stated above, Ballu fails to teach or suggest all the recitations of independent claim 9. Wiltshire et al. does not teach or suggest the recitations of claim 9. As claim 12 depends from claim 9, this dependent claim is also patentable for at least the same reasons. Therefore, in view of the foregoing, reconsideration and withdrawal of the §103(a) rejection of claim 12 as obvious in view of U.S. Patent 4,936,483 ("Ballu") further in view of U.S. Patent No. 4,219,125 ("Wiltshire et al.") is respectfully requested.

IV. Conclusion

In view of the foregoing amendments and remarks, allowance of claims 1-14 is respectfully requested.

Respectfully submitted,



Gary Abelev  
Patent Office Reg. No. 40,479  
Attorney for Applicants  
(212) 408-2566

Baker Botts L.L.P.  
30 Rockefeller Plaza  
New York NY 10112